

LICENSING SUB-COMMITTEE

MINUTES OF MEETING HELD ON TUESDAY 9 JANUARY 2024

Present: Cllrs Susan Cocking, Les Fry and Cathy Lugg

Officers present (for all or part of the meeting):

Elaine Tibble (Senior Democratic Services Officer), Lara Altree (Senior Lawyer - Regulatory), Kathryn Miller (Senior Licensing Officer) and John Miles (Democratic Services Officer)

Also present: Mr Hopton (Applicant for 8 East Street), Mr Parker, Mr Brace, Mr J Ojla (Manager Director of Wiggle Clubs), Mr T Ojla (Regional Manager for Wiggle Clubs), and Mrs Stockwell.

155. Election of Chairman and Statement for the Procedure of the Meeting

Proposed by Cllr Susan Cocking, seconded by Cllr Cathy Lugg.

Decision: that Cllr Les Fry be elected as chairman for the duration of the meeting.

156. Apologies

Apologies for absence were received from Cllrs Andrew Starr and Mike Dyer, substituted by Cllrs Cathy Lugg and Susan Cocking.

157. Declarations of Interest

No declarations of disclosable pecuniary interests were made at the meeting.

158. Urgent items

There were no urgent items.

159. New premises licence application for 8 East Street, Blandford

The Senior Licensing Officer introduced the report. There were no representations received from any of the responsible authorities. There was one representation received from the member of the public. There had been no issues with the TENs events and no reports of noise or antisocial behaviour, and the police had not been called.

The applicant, Mr Hopton informed the Sub-Committee that the premises opened on the 23rd of October 2023 under the Temporary Event Notice procedure for 26 days to see how it might operate. The business was a small, specialised alehouse

which sells no other alcohol except for mead. Food would not be served at the premises and no music would be played. Mr Hopton had spoken to the lady living above the premises and she could not hear any noise from the premises. He made the Sub-Committee aware that he was a very experienced licensee and had held two licences under the previous legislation. Mr Hopton stated that he had not been trading during the period that the TENs were not in place. Police had not been called to the premises, but two community police officers had visited when passing by. He informed that he did not want people smoking outside the premises and encouraged patrons to smoke by the bench across the road. He explained that the venue appealed to a specific clientele as it served only specialised heritage beers and therefore, would not have the same problems associated with larger pubs.

Mr Parker who had submitted a representation in support of the application highlighted that he was not a typical pub goer. He was interested in specialist beer and the patrons that visited the premises were mainly middle-aged discerning people. He supported what Mr Hopton had said and highlighted that there were not many micropubs in Dorset and these types of premises had grown in the last 20 years and breathed life back into the streets. He felt that more noise came from nearby shops than Mr Hopton's premises.

Mr Brace who made a representation informed that he had nothing against the premises in many ways but requested the condition that the rear window be kept shut to reduce noise. As he felt that the noise from the premises was intrusive and could be heard from his private outdoor space as he liked to sit outside. He expressed concern that the premises had been open on days that were not covered by the TENs and was worried that the premises had not been operated properly. He referred to comments on social media that the Police had attended the premises and that food had been on offer. Mr Brace concluded by noting that the window which looked out onto the steps to his property had been dressed in an opaque covering to increase privacy which he welcomed.

All parties were given the opportunity to sum up and have their say.

Decision:

To GRANT a Premises Licence with the usual mandatory conditions, the conditions consistent with the Operating Schedule and the condition added by the Sub-Committee, as set out below, to permit the following:

Supply of alcohol (on and off the premises)

Monday to Thursday 11:30-21:30 hours

Friday and Saturday 11:00-21:30 hours

Sunday 12:00-21:30 hours

Premises opening times

Monday to Thursday 11:30 – 21:30 hours

Friday and Saturday 11:00 – 21:30 hours

Sunday 12:00 – 21:30 hours

Conditions Consistent with the Operating Schedule

A CCTV system shall be installed at the premises. The CCTV system shall be maintained in working condition.

Patrons will be discouraged from smoking out the front of the premises, notices will be displayed to remind them of this.

A clear notice shall be displayed at every exit from the premises to instruct customers to respect the needs of local residents and leave the premises and the area quietly.

The Licensee will adopt a "Challenge 25" policy where all customers who appear to be under the age of 25 and attempt to purchase alcohol or other age-restricted products are asked for proof of their age.

The Licensee to prominently display notices advising customers of the "Challenge 25" policy. The following proofs of age are the only ones to be accepted:

- Proof of age cards bearing the "Pass" hologram symbol
- UK Photo Driving licence
- Passport

The Licensee will ensure that each member of staff authorised to sell alcohol has received adequate training on the law with regard to age restricted products and that this has been properly documented and training records kept. The training record to be kept on the licensed premises and made available for inspection by the Licensing Officer, Trading Standards or the Police.

Condition added by the Sub-Committee

The rear window of the Premises shall be kept shut at all times that the Premises are open.

160. Renewal of Sexual Entertainment Licence for Wiggle, Weymouth

The Senior Licensing Officer introduced the report. She informed that one representation had been received from a member of the public who did not think the licence should be renewed. She explained that members must consider that the premises had been in this location for 10 years and apart from the 2021 renewal it had never come to a committee.

The 2021 previous renewal application had come before Councillors for determination because there was one objection from a member of the public who had bought a property in the area and did not know that the premises was there. It was subsequently renewed after consideration by the Licensing Committee.

There had been no objections from the local Ward Member, Town Council, or the Police. The officer outlined the mandatory grounds under which a licence would be refused and the discretionary grounds on which a licence may be refused. She suggested that none of these grounds applied in this case. The Officer confirmed that the premises was currently opening from 10pm to 5am Friday and Saturday.

The applicants, Mr J Ojla and Mr T Ojla were given the opportunity to present their case. The company had been operating a SEV premises for over 20 years. The premises had been licenced since 2011 and they had taken over the operation in 2018. The company has 5 sites across the UK with 200 performers and 50 staff members. They informed that all premises maintained a high standard of management. Throughout business operations there had never been a SEV renewal refused. Mr T Ojla referred to the fine imposed due to a lack of an HMO licence and explained that they felt they were let down by their agent. They accepted the fine and applied for a licence as soon as they were aware of the need to do so.

The applicants added that the poster and signage had no nudity or explicit content and the silhouette on the sign was suitable and tasteful. The premises was located behind the esplanade and not directly on the sea front and the premises was of a discreet nature. With reference to the Equality Act, Mr T Ojla informed that there was no evidence that people were being lured away from their partners as a result of the premises.

Mrs Stockwell, who had submitted a representation presented her case. She objected against the renewal of the licence on the grounds of suitability of applicant, the location of the premises and matters relating to equalities. Regarding the suitability of the applicant, she referred to a financial penalty that had been imposed on one of the Directors of the Applicant company. For failure to obtain a licence for a house in multiple occupation (HMO), and the possible breach of one of the conditions on the previous licence. That prevented nudity being shown on any advertising on the exterior of the premises. She felt that the location of the premises was unsuitable as it was close to the beach and the esplanade. She was concerned that the funding for regeneration of parts of Weymouth area would be impacted by the proximity of the premises. She also expressed concern that the venue only employed female performers and whether this was in accordance with the Equalities Act 2010. She believed that the premises did not promote good relations between the sexes, as women might feel uncomfortable walking past men who had been sexual stimulated and drinking.

All parties were given the opportunity to sum up and have their say.

Decision:

To **RENEW** the sexual entertainment venue licence for Wiggle with all the conditions from the previous licence applied.

161. Exempt Business

There was no exempt business.

Duration of meeting: 2.00 - 3.41 pm

Chairman

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